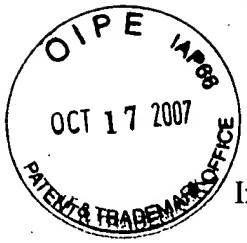
2157



In re patent application of

Philip Romanik, et al.

Application No: 09/911,090 Examiner: Avi Gold

Filing Date: 23 July 2001 Art Unit: 2157

Title: IMAGE TRANSFER AND ARCHIVAL SYSTEM

Correspondence address:

Customer Number: 000052697
Philip Romanik
116 Parker Avenue East
West Haven, CT 06516
(203) 933-5174

Table of contents

Response to 09/19/2007 communication

The examiner indicated that the reply filed on June 27, 2007 is not fully responsive because it is not shown how the amended claims avoid the references and rejections applied on the previously rejected claims. Further, the examiner states there are no sections of the arguments that show how the newly amended claims and newly added limitations further overcome the previous rejection.

The Applicant's last communication detailed the structural and punctuation changes to the claims. This communication also listed the changes made to make the claim language less passive and more active. The Applicant makes the following additional statements:

Limitations were added to claim 1 to make the claim more precise. These changes were not made to avoid the references and rejections from previous rejected claims. In a March 13, 2007 telephone interview with the examiner, the examiner acknowledged that the Tanaka patent (used as prior art to reject most of the claims in the application) does not disclose many aspects of the Applicant's invention. The amended claim narrows the scope of the independent claim by incorporating features from the dependent claims. The motivation to make this change was to improve the likelihood that the patent would issue on the next office response. These changed elements are (the change format is left intact):

- means for increasing the size of the client queue if ~~it~~ the client queue becomes full due to the accumulation of images in the queue;

- ~~reducing the size of images to conserve storage space in the queue or to reduce transmission time between the client and server;~~ means for dynamically reducing the size of images in the client queue to either conserve storage space in the client queue or to reduce transmission time between the client and the server;
- means for transferring the image from the client device to the server device as a digital signal such that a permanent copy of the image is not maintained on the client device;
- means for persisting the image on the server device until it is processed or saved whereas the image may be of reduced resolution or quality.

As amended, claim 1 recites a system that dynamically reduces the size of images in the client queue to conserve storage space or reduce transmission time between the client and the server. Claim 1 also recites a system where a permanent copy of the image is not maintained on the client device. As discussed with the Examiner, Tanaka neither teaches nor suggests these elements. Moreover, none of the other references on which the Examiner relies (Ohtake, Glass, Lopresti) teach or suggest these elements. Therefore, Tanaka alone or in combination with any of the other references on which the Examiner relies neither anticipates nor makes obvious the claimed invention. As a result, the Applicant asks the Examiner to withdraw the rejections and allow the claims as amended.

Limitations were added to claim 8 to make the claim more precise. These changes were not made to avoid the references and rejections from previous rejected claims. In a March 13, 2007 telephone interview with the examiner, the examiner acknowledged that the

Tanaka patent (used as prior art to reject most of the claims in the application) does not disclose many aspects of the Applicant's invention. The amended claim removes ambiguity by linking claim elements to proceeding claim elements. The motivation to make this change was to improve the likelihood that the patent would issue on the next office response. These changed elements are (the change format is left intact):

- means for increasing the size of the server queue if ~~it~~ the server queue becomes full due to the accumulation of images in the queue;
- ~~reducing the size of images to conserve storage space in the queue or to reduce storage requirements in the image database.~~ means for dynamically reducing the size of images in the server queue to either conserve storage space in the server queue or to reduce storage requirements in the image database.

As amended, claim 8 recites a system that dynamically reduces the size of images in the client queue to conserve storage space or reduce transmission time between the client and the server or reduce storage requirements in the image database. As discussed with the Examiner, Tanaka neither teaches nor suggests these elements. Moreover, none of the other references on which the Examiner relies (Ohtake, Glass, Lopresti) teach or suggest these elements. Therefore, Tanaka alone or in combination with any of the other references on which the Examiner relies neither anticipates nor makes obvious the claimed invention. As a result, the Applicant asks the Examiner to withdraw the rejections and allow the claims as amended.

Limitations were added to claim 12 to make the claim more precise. These changes were not made to avoid the references and rejections from previous rejected claims. In a March 13, 2007 telephone interview with the examiner, the examiner acknowledged that the Tanaka patent (used as prior art to reject most of the claims in the application) does not disclose many aspects of the Applicant's invention. The amended claim narrows the scope of the independent claim by incorporating features from the dependent claims. The motivation to make this change was to improve the likelihood that the patent would issue on the next office response. These changed elements are (the change format is left intact):

- increasing the size of the client queue if ~~it~~ the client queue becomes full due to the accumulation of images in the queue;
- ~~reducing the size of images to conserve storage space in the queue or reduce transmission time between the client and server;~~ dynamically reducing the size of images in the client queue to either conserve storage space in the client queue or to reduce transmission time between the client and the server;
- transferring the image from the client device to the server device as a digital signal such that a permanent copy of the image is not maintained on the client device;
- persisting the image on the server device until it is processed or saved whereas the image may be of reduced resolution or quality.

As amended, claim 12 recites a method that dynamically reduces the size of images in the client queue to conserve storage space or reduce transmission time between the client and the server. Claim 12 also recites a method where a permanent copy of the image is not

maintained on the client device. As discussed with the Examiner, Tanaka neither teaches nor suggests these elements. Moreover, none of the other references on which the Examiner relies (Ohtake, Glass, Lopresti) teach or suggest these elements. Therefore, Tanaka alone or in combination with any of the other references on which the Examiner relies neither anticipates nor makes obvious the claimed invention. As a result, the Applicant asks the Examiner to withdraw the rejections and allow the claims as amended.

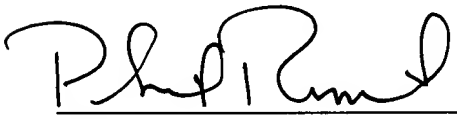
Limitations were added to claim 14 to make the claim more precise. These changes were not made to avoid the references and rejections from previous rejected claims. In a March 13, 2007 telephone interview with the examiner, the examiner acknowledged that the Tanaka patent (used as prior art to reject most of the claims in the application) does not disclose many aspects of the Applicant's invention. The amended claim narrows the scope of the independent claim by incorporating features from the dependent claims. The amended claim also removes ambiguity by linking claim elements to proceeding claim elements. The motivation to make this change was to improve the likelihood that the patent would issue on the next office response. These changed elements are (the change format is left intact):

- increasing the size of the client queue if ~~it~~ the client queue becomes full due to the accumulation of images in the queue;
- ~~preventing images from being discarded by reducing the size of said images to conserve storage space in the queue or to reduce transmission time between the client and server;~~ reducing the size of the volatile images in the client

queue to either prevent images from being discarded from the queue or to reduce transmission time between the client and server.

As amended, claim 14 recites a method to reduce the size of volatile images in the client queue to prevent images from being discarded from the queue or to reduce transmission time between the client and the server. As discussed with the Examiner, Tanaka neither teaches nor suggests these elements. Moreover, none of the other references on which the Examiner relies (Ohtake, Glass, Lopresti) teach or suggest these elements. Therefore, Tanaka alone or in combination with any of the other references on which the Examiner relies neither anticipates nor makes obvious the claimed invention. As a result, the Applicant asks the Examiner to withdraw the rejections and allow the claims as amended.

Respectfully submitted,



Philip Romanik

116 Parker Avenue East
West Haven, CT 06516
203-933-5174